**DOCKET NO.: ELSE-0818/E20030090** 



#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:

Rodney C. Hemminger, et al.

**Confirmation No.: 4421** 

Patent No.: 6,940,268-B2

Issued: September 6, 2005

**Application No.: 10/618,129** 

Filing Date: July 11, 2003

Apparatus For Metering At Least One Type Of Electrical Power Over A **Predetermined Range Of Service Voltages** 

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE COMMISSIONER FOR PATENTS,

P.O. BOX 1450, AZEXANDRIA, VA 22313-1450.

TYPED NAME: Vincent J. Roccia **REGISTRATION NO.: 43,887** 

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Of Correction

#### REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT FOR PTO MISTAKE PURSUANT TO 37 CFR § 1.322(a)

It is respectfully requested that a Certificate of Correction be issued for the aboveidentified patent. In accordance with 37 CFR § 1.322(a), the patent has errors in it that occurred through the fault of the Patent and Trademark Office as clearly disclosed by the records and files of the office.

Several references submitted in the Information Disclosure Statement of October 14, 2004 were not printed on the issued patent.

#### **U.S. PATENT REFERENCES**

The PTO failed to list any of the U.S. patent references cited in the Information Disclosure Statement filed October 14, 2003 [Refs 1-10; 16-25; 31-40; 44-160]. Those references were reviewed and initialed by the Examiner. [See initialed 1449's dated August 12, 2004 - Attachment 1 hereto].

In the Notice of Allowance dated March 10, 2005, the Examiner again initialed the 1449 forms from the IDS filed on October 14, 2003 [See PTO 1449's dated March 3, 2005, Attachment 2 hereto], crossing out the U.S. patent references, only because such references had been previously considered. In his Comments On Information Disclosure Statement (p. 3), the Examiner stated, "In the IDS filed October 14, 2003, and attached hereto, each U.S. Patent cited has been crossed through as these were previously considered in the Office Action mailed on August 23, 2004. (emphasis added). A copy of the Examiner's remarks is enclosed [Attachment 3 hereto].

#### **NON-PATENT REFERENCES**

In addition, several non-patent references submitted in the IDS of October 14, 2004 were not printed on the issued patent, even though these references were reviewed and initialed by the Examiner.

#### CHART OF REFERENCES FOR THE CONVENIENCE OF THE PATENT OFFICE

Below, for the convenience of the Patent Office, is a chart which shows where omitted references were originally cited and the date of the initialed 1449's, evidencing the Examiner's review of said references.

Cited Non-Patent Reference	IDS Reference Number in IDS Dated 10/14/2004	Evidence of Examiner's Review and Initialization
Summer, S.E. et al., "Wide Input Range Multiple Output Power Supply, PCI, April 1983	Reference # 201	Initalled by Examiner 8/12/2004
RM-10 Metronic Portable atthour Standard-Operations Manual Revisions E, February 1990, Radian Research, Inc. Power and Energy Measurement Specialists	Reference #202	Initalled by Examiner 8/12/2004
RM-10, RM-12, RM-15 Operations Manual, December 1998, Radian Research, Inc.	Reference #203	Initalled by Examiner 8/12/2004
Quantum ST-Q121 Electronic Meter, Product Bulletin 10254, Effective Date October 1990, pages 1- 22	Reference #231	Initalled by Examiner 8/12/2004

Cited Non-Patent Reference	IDS Reference Number in IDS Dated 10/14/2004	Evidence of Examiner's Review and Initialization
Quantum Q101 Series Electronic Meter, Product Bulletin 10253, Effective Date June 1991, 20 pages	Reference #233	Initalled by Examiner 8/12/2004
In the Matter of Australian Patent Application No. 688711 in the name of ABB Power T&D Company Inc. and In the Matter of Opposition Thereto by Electrowatt Technology Innovation Corporation, "Statement of Grounds and Particulars In Support of Opposition, August 12, 1998	Reference #169	Initalled by Examiner 3/3/2005
U.S. Patent References	References # 1-10; 16-25; 31-40; 44- 160	Initialled by Examiner 8/12/2004

Applicants respectfully request that each of these references be listed on a Certificate of Correction.

Enclosed herewith please find are completed Certificate of Correction forms.

Since the errors are not due to applicants' mistake, no correction fee is due. Please charge any fees for copies and any additional fees to our Deposit Account No. 23-3050. This letter is enclosed in duplicate.

Data

Vincent J. Roccia

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PATENT NO : 6,940,268 B2

DATED

September 6, 2005

INVENTOR(S):

Hemminger et al.

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Quantum Q101 Series Electronic Meter, Product Bulletin 10253, Effective Date June 1991, 20 pages

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3,976,941	8/1976	Milkovic	324/142
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4,096,436	6/1978	Cook et al.	324/142
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## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

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September 6, 2005 DATED

INVENTOR(S): Hemminger et al.

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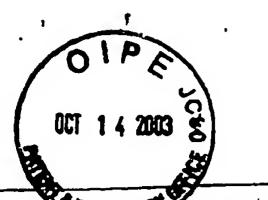
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Docket No.
<b>ELSE-0818</b>

Application No. 10/618,129

**Applicant** 

Rodney C. Hemminger, et al.

Filing Date
July 11, 2003

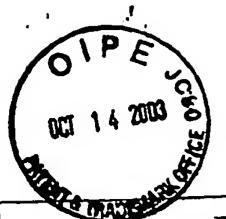
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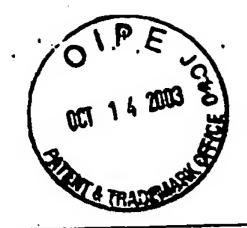
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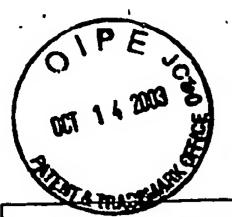
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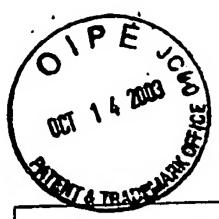
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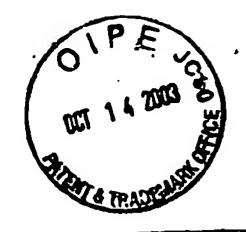
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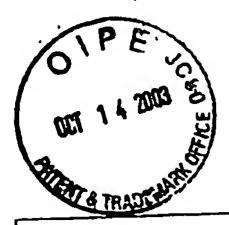
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Docket No. ELSE-0818
<b>ELSE-0818</b>

Application No. 10/618,129

Applicant

Rodney C. Hemminger, et al.

Filing Date
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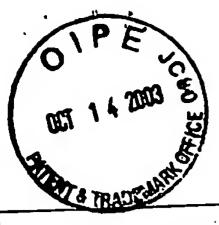


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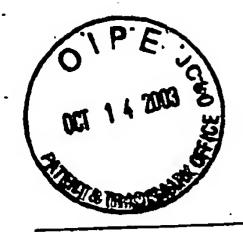
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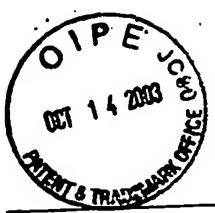
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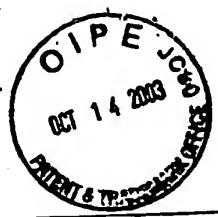
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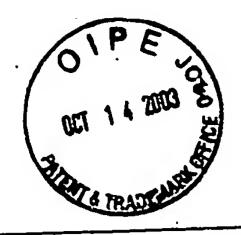
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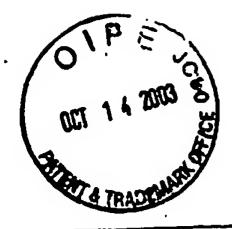
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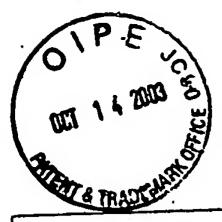
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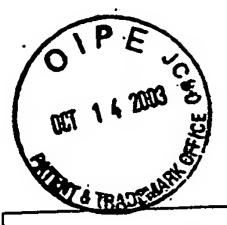
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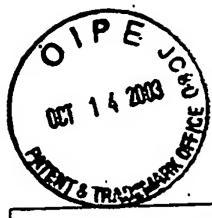
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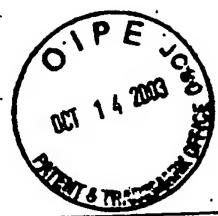
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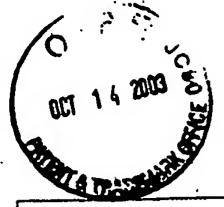
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Cited by Applicant			Applicant		
(Use several sheets if necessary)		Rodney C. Hemm	inger, et al.		
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Application/Control Number: 10/618,129

Art Unit: 2829

#### Reasons For Allowance

1. The following is an examiner's statement of reasons for allowance:

An electrical energy meter comprising:

At least one resistive voltage divider capable of scaling a wide range of service voltages to provide a scaled voltage wherein the scaled voltage does not exceed a maximum peak-to-peak value for any received service voltage; and

A power supply capable of receiving any service voltage in the wide range of service voltages and producing therefrom a supply voltage used within the electrical energy meter; as further described in claim 7 has not been found in light of Applicants' arguments filed December 27, 2004 that place emphasis on intended use recitations and functional language as providing additional structure resulting in a structural difference between the claimed invention and the prior art (MPEP 2111.02). Specifically, the limitation of the "resistive voltage divider capable of scaling a wide range of service voltages to provide a scaled voltage wherein the scaled voltage does not exceed a maximum peak-to-peak value for any received service voltage," as emphasized by Applicants, is now considered a structural component of the claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Application/Control Number: 10/618,129

**Art Unit: 2829** 

#### Comments on Information Disclosure Statement

2. The information disclosure statement filed October 14, 2003 fails in-part to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file however each cited reference referred to therein that is not available to the Examiner has not been considered. The Examiner has considered each cited reference currently available from Applicants' parent applications in addition to that which is available from other electronic resources. Those references not available to the Examiner have been crossed through. In the IDS filed October, 14, 2003 and attached hereto, each U.S. Patent cited has been crossed through as these were previously considered in the Office Action mailed on August 23, 2004. Additionally, all references to Court Proceedings will not be published and as such those references have been crossed out however any reference to Court Proceedings, that has been considered, has been initialed

**Art Unit: 2829** 

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Russell Kobert whose telephone number is (571) 272-1963.

The Examiner's Supervisor, Nestor R. Ramirez, can be reached at (571) 272-2034.

For an automated menu of Tech Center 2800 phone numbers call (571) 272-2800.

Russell M. Kobert Patent Examiner Group Art Unit 2829 March 3, 2005

VINH NGUYEN PRIMARY EXAMINER

A.4.2829

03/04/05